

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF NEW MEXICO

SNL WORKFORCE FREEDOM ALLIANCE,)
DAVID PETERSON, JON BROOKS, ANNA)
BURNS, JOHN DOE #1, JANE DOE #2,)
RICKY ALLEN FERGUSON,)
Plaintiffs,)

Case No. 1:22-cv-00001-DHU-SCY

v.)

NATIONAL TECHNOLOGY AND)
ENGINEERING SOLUTIONS OF SANDIA,)
LLC d/b/a SANDIA NAT'L LABORATORIES,)
HONEYWELL INTERNAT'L, INC.)
Defendants.)

MOTION TO PERMIT PROCEEDING WITH DOE PLAINTIFFS

COME NOW Plaintiffs and move the Court for an order permitting the use of Doe Plaintiffs in the caption. IN SUPPORT IT IS STATED:

1. The Supreme Court implicitly recognized Doe plaintiffs as valid in such noteworthy cases as *Poe v. Ullman*, 367 U.S. 497 (1961); *Roe v. Wade*, 410 U.S. 113 (1973); and *Doe v. Bolton*, 410 U.S. 179 (1973).

2. Lower federal courts have held that courts have discretion to allow Doe plaintiffs. *Doe v. Indiana Black Expo, Inc.*, 923 F.Supp. 137 (S.D.Ind.1996) ("[T]he federal courts of appeal and a number of district courts have recognized that a district court may have the *discretion* to permit a party to proceed under a fictitious name.") (emphasis added); *Lindsey v. Dayton-Hudson Corp.*, 592 F.2d 1118, 1125 (10th Cir.1979); *Doe v. Frank*, 951 F.2d 320, 322-323 (11th Cir.1992).

3. Unvaccinated employees that work at SNL are working in an atmosphere of fear, discrimination, ostracization and irrationality. They run the risk of retaliatory consequences such as firing, segregation and others. For this reason they seek to sue as Doe plaintiffs.

For the foregoing reasons, Plaintiffs respectfully request this Court allow John and Jane Doe plaintiffs.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 4th day of February, 2022, I filed the foregoing electronically through the CM/ECF system, which caused all counsel of record to be served by electronic means, as more fully reflected on the Notice of Electronic Filing.

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